

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

1

HOUSE BILL 746

Short Title: Fleet Ins./No Denials for Old Convictions. (Public)

Sponsors: Representatives Brandon and Harrison (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Insurance.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT INSURERS MAY NOT LIMIT OR DENY FLEET VEHICLE
3 INSURANCE COVERAGE BASED ON THE NONMATERIAL CRIMINAL RECORD
4 OF A DRIVER.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 41 of Chapter 58 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 58-41-38. Limitations on consideration of certain criminal records by commercial fleet**
9 **insurers.**

10 No insurer writing policies for theft, physical damage, or liability incident to operation of
11 commercial fleet vehicles shall base any decision to limit or terminate a policy, or deny an
12 application for a policy, on a nonmaterial criminal record of a driver employed by the
13 commercial fleet. For purposes of this section, a criminal record is "nonmaterial" if it includes
14 convictions of criminal offenses meeting all of the following:

15 (1) The conviction is more than seven years old.

16 (2) The offense that resulted in the conviction did not involve (i) violence or sex
17 crimes; (ii) a felony charge for robbery, theft, or misappropriation of
18 property; or (iii) any violation of any provision of G.S. 90-95 other than
19 G.S. 90-95(a)(3)."

20 **SECTION 2.** This act becomes effective July 1, 2013, and applies to any
21 commercial fleet vehicle polices written or renewed after that date.



* H 7 4 6 - V - 1 *